

United States District Court
for
Middle District of Tennessee

Superseding Petition for Summons for Offender Under Supervision
[Supersedes Petition Filed as Docket Entry No. 9]

Name of Offender: Steve Cordell Dobson Case Number: 3:11-00104-01
Name of Sentencing Judicial Officer: Honorable Todd J. Campbell, U. S. District Judge; Jurisdiction transferred on
May 26, 2011, from the Honorable James A. Teilborg, U.S. District Judge in the District of Arizona
Date of Original Sentence: November 19, 2003
Original Offense: 21 U.S.C. § 846, 841 (a)(1) Conspiracy to Possess with Intent to Distribute 5 Kilograms or More
of Cocaine and Attempted Possession with Intent to Distribute 5 Kilograms or More of Cocaine
Original Sentence: 120 months' custody and 5 years' supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: January 28, 2011
Assistant U.S. Attorney: Scarlett Singleton Defense Attorney: David Baker

PETITIONING THE COURT

____ To issue a Summons.
____ To issue a Warrant.
X To Consider Additional Violations/Information

THE COURT ORDERS:

- ☐ No Action
☐ The Issuance of a Warrant:
 ☐ Sealed Pending Warrant Execution
 (cc: U.S. Probation and U.S. Marshal only)
☐ The Issuance of a Summons.
☒ The Addition of Alleged Violations/Information
☐ Other

Considered this 23 day of August, 2012,
and made a part of the records in the above case.

Todd J. Campbell

Todd J. Campbell
U. S. District Judge

I declare under penalty of perjury that the
foregoing is true and correct.
Respectfully submitted,

Joshua Smith

Joshua Smith
U.S. Probation Officer

Place Nashville, TN

Date August 16, 2012

ALLEGED VIOLATIONS

The information provided in the previous petition, filed as docket entry No. 9, has been amended as follows:

Violation No. 1 - has been amended to include additional positive drug tests.

Violation No. 2 - has been amended to include additional missed substance abuse treatment

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

1. **You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician. Possession of controlled substances will result in mandatory revocation of your term of supervision. If ordered by the Court to participate in a drug and/or alcohol abuse treatment programs, you shall totally abstain from the use of any alcoholic beverages or other intoxicants during and after the course of your treatment.**

Mr. Dobson has tested positive for Cocaine on five occasions: February 29, March 22, May 14, May 24, and July 23, 2012. He tested positive for Marijuana on February 29, 2012, and admitted to recent use of Marijuana.

On three additional occasions, April 20, June 18, and July 6, 2012, a presumptive positive for Cocaine was obtained from urine screens but the samples were not confirmed from the lab.

2. **You shall participate as instructed by the probation officer in a program of substance abuse treatment which may include testing for substance abuse. You shall contribute to the cost of treatment in an amount to be determined by the probation officer.**

Mr. Dobson failed to report and provide urine samples for drug testing on April 9, April 30, and May 29, 2012.

Mr. Dobson missed substance abuse treatment on May 23 and August 8, 2012.

3. **You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.**

On March 22 and May 24, 2012, Mr. Dobson admitted using Viagra and Cialis purchased from a friend on many occasions.

Compliance with Supervision Conditions and Prior Interventions:

Mr. Dobson began his term of supervised release on January 28, 2011. The Court was notified on January 12, 2012, that he had been found guilty of Driving on a Revoked Driver's License and ordered to pay \$238.88 for the conviction and court costs.

The Court was notified on March 8, 2012, that Mr. Dobson had tested positive for Cocaine and Marijuana during a urine screen and admitted to the recent use of Marijuana. As a result of the positive drug screen, the frequency of drug testing was increased and he was referred for substance abuse treatment. He was enrolled in substance abuse treatment in March 2012.

The Court was notified on March 28, 2012, that Mr. Dobson had submitted a urine screen on March 22, 2012, that tested positive for Cocaine. He denied Cocaine use but admitted taking illegally purchased Viagra and Cialis from an acquaintance.

A Petition for a Summons was submitted to the Court on June 4, 2012. The petition informed that Mr. Dobson tested positive for Cocaine on May 14 and May 24, 2012. He again denied use of Cocaine but admitted on May 24, 2012, that he had still been taking Viagra, which he had illegally purchased on many occasions. The petition also informed that he had missed drug screens on April 9, April 30, and May 29, 2012. He missed substance abuse treatment on May 23, 2012.

Prior to the Revocation Hearing scheduled for July 6, 2012, a petition was filed for a three month continuance to give Mr. Dobson an opportunity to further benefit from substance abuse treatment and to show his ability to be in compliance with supervision. The Revocation Hearing was rescheduled for September 28, 2012. Mr. Dobson again tested positive for Cocaine on July 23, 2012. He also missed substance abuse treatment on August 8, 2012.

A home contact was attempted on August 8, 2012. Contact with Mr. Dobson did not occur as the gate to his property was closed and locked with a sign for No Trespassing. Despite attempted phone calls to Mr. Dobson that day, no one answered the phone.


Update on Offender Characteristics:

There is no additional information relevant to this section that has not already been provided in this petition.

U.S. Probation Officer Recommendation:

It is respectfully requested these additional violations be considered when Mr. Dobson appears before the Court to answer to the violation behavior outlined above. It may also be prudent to schedule the Revocation Hearing sooner than September 28, 2012.

This matter has been reported to Assistant U. S. Attorney Scarlett Singleton who concurs with the recommendation.

Approved: 
Britton Shelton
Supervisory U. S. Probation Officer

SENTENCING RECOMMENDATION
UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE
UNITED STATES V. STEVE CORDELL DOBSON, CASE NO. 3:11-00104-01

GRADE OF VIOLATION: C
CRIMINAL HISTORY: II

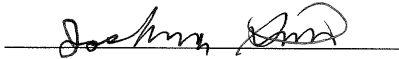
ORIGINAL OFFENSE DATE: POST SEPTEMBER 13, 1994 VCCA PROVISIONS
PRIOR APRIL 30, 2003


	<u>Statutory Provisions</u>	<u>Guideline Provisions</u>	<u>Recommended Sentence</u>
CUSTODY:	3 years (Class A felony) <i>18 U.S.C. § 3583(e)(3)</i>	4-10 months	No recommendation
SUPERVISED RELEASE:	5 years less any term term of imprisonment <i>18 U.S.C. 3583 (h)</i>	2-5 years U.S.S.G. § 5D1.2(a)(1)	No recommendation

Revocation is mandatory if the defendant refuses to comply with drug testing imposed as a condition of supervised release, 18 U.S.C. § 3583(g)(3), and (4), testing positive for illegal controlled substances more than 3 times over the course of 1 year. The court shall consider whether the availability of appropriate substance abuse treatment programs, or an individual's current or past participation in such programs, warrants an exception in accordance with United States Sentencing Commission guidelines from the rule section 3583(g) when considering any action against a defendant who fails a drug test. 18 U.S.C. § 3583(d).

Guideline Police Statements: Upon a finding of a Grade C violation, the Court may (A) revoke probation or supervised release; or (B) extend the term of probation or supervised release and/or modify the conditions of supervision.

Respectfully Submitted


Joshua Smith
U.S. Probation Officer

Approved: 
Britton Shelton
Supervisory U.S. Probation Officer

Offender's Address: 4539 Sulphur Creek Rd.
Nashville, TN 37218